



**U.S. House of Representatives
Committee on House Administration Hearing
October 5, 2007
10 a.m.
Philadelphia City Hall, Room 405**

**Testimony of Deputy Secretary Thomas Weaver
Pennsylvania Department of State
Impediments to Voter Enfranchisement**

Chairman Brady and members of the Committee on House Administration:

Good morning. Thank you for the invitation to appear before the Committee to discuss one of the most fundamental principles of our democracy: the right to vote and the importance of ensuring successful voter participation.

Among its wide range of administrative responsibilities that affect all Pennsylvanians, the Pennsylvania Department of State oversees the election process of the Commonwealth's 67 counties. Today I will briefly discuss how the Department works with the counties to encourage voter participation and ensure that the Commonwealth has elections that are fair, accurate and accessible. I will also comment on any potential challenges that discourage broad voter participation, particularly proposals to require photo identification in order to cast a ballot.

As you are aware, the federal Help America Vote Act of 2002 (HAVA) set forth numerous mandates, including standards for voting systems used in federal elections occurring after January 1, 2006. Counties chose from Department-certified systems to meet their federal obligation. HAVA-compliant voting machines needed to be in place by the first federal election of 2006, which was the Primary Election on May 16, 2006.

Twelve systems are currently certified for use in Pennsylvania. These systems go through a two-tiered testing process before the Secretary of the Commonwealth certifies them for use. The testing, coupled with the counties' procedures and a carefully monitored chain of custody, ensures that votes cast will be accurately recorded and fairly counted.

HAVA also set forth requirements for accessibility, and HAVA-compliant voting systems allowing many voters with disabilities to vote independently for the first time ever. In addition to accessible voting systems, the Department has implemented an initiative to work to make polling places more accessible.

In addition to physical access, the need for access also extends to those with limited English proficiency. The Department is committed to providing the right to vote to all, and has translated many of the forms into several languages currently present in Pennsylvania, including Chinese, Korean, Russian, French, Khmer (Cambodia) and Spanish. In addition, the Department created a Voting Guide for New Citizens, which is one of the first of its kind in the nation. The Guide encourages our newest citizens to become a member of our democratic process. It is distributed at citizenship ceremonies and is being translated into at least 5 different languages.

Another way to ensure fair, accurate and accessible elections is to provide access to pollworker training. With input from counties, reviewing and updating the current election official and poll worker training/certification programs, the department is revising materials to incorporate two new sensitivity training programs for people with limited English proficiency and for people with disabilities. A video is also being created with HAVA funds to assist counties with training. Emphasizing procedures, from the opening of the polls to handling provisional ballots and canvassing the results, will be the goal of the training; better informed poll workers will lead to better elections. Election Official training is also a priority.

Public education is also critical. To meet the need for voter education, the state created ***Ready.Set.Vote.***, a statewide voter education and outreach campaign developed in 2006. This multimedia campaign covered topics ranging from basic voter registration information to voter education about using the HAVA-compliant voting systems. The effort included outreach campaigns to a range of communities across the state and reached hundreds of thousands of Pennsylvanians leading up to the 2006 Primary and General Elections. The next phase of the campaign is in the planning stages for the 2008 elections.

I have covered how PA works toward fair, accurate and accessible elections. Now I want to turn my attention to potential challenges that discourage broad voter participation, particularly proposals to require photo identification in order to cast a ballot

Reading press reports, you hear of various types of impediments to voting, such as proposals to penalize groups for late registrations and legislation requiring proof of citizenship or proof of photo identification in order to vote.

In Pennsylvania, Governor Edward G. Rendell vetoed such a bill in 2006. In his veto message, he stated:

“At a time of growing apathy and cynicism among our citizens regarding elections, I believe that the government should be doing everything it can to encourage greater participation in the electoral process, not discouraging participation by placing additional limitations on the right to cast a vote. Moreover, without compelling evidence of a problem with the current system of voter identification in Pennsylvania, I see no reason to enact laws that will result in voter confusion and disenfranchise legitimately registered voters...

Some proponents of the bill claim that no one is actually being denied the right to vote – that voters are merely being asked to comply with a simple requirement meant to reduce the instances of voter fraud. They point to the various acceptable forms of identification that are listed in the bill as support for their defense that the provision is not an attempt to suppress voter turnout. Regardless of how long the list of acceptable forms of identification is, there are people who may not be in a position to produce any of them; people who live in a household where the lease and utility bills are in someone else’s name, people in nursing homes, and those who may have been temporarily displaced from their residences, to name just a few. As federal judge Harold Murphy very

eloquently stated in a recent case discussing a similar bill enacted in Georgia, “For those citizens, the character and magnitude of their injury – the loss of the right to vote – is undeniably demoralizing and extreme, as those citizens are likely to have no other realistic or effective means of protecting their rights.”

Others have suggested that this voter identification provision is needed to reduce the instances of voter fraud in Pennsylvania. However, I have not seen any evidence of widespread voter impersonation in Pennsylvania that would justify imposing this additional burden on voters.”

The Governor noted that the National Commission on Election Reform found that there is *no evidence* that the fraudulent acts the voter ID provision seeks to address exist anywhere in the United States.

Voter photo ID requirements also would slow the voting process and create longer waiting periods before citizens could cast their votes. The result would likely be longer lines and wait times, which may serve to disenfranchise voters and lower voter turnout.

Once again, thank you for the opportunity to appear before you today. I welcome any questions you have at this time.